



## CITY OF MORGAN HILL

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17555 PEAK AVENUE, MORGAN HILL, CALIFORNIA 95037-4128 (408) 779-7247  
Website Address: [www.morgan-hill.ca.gov](http://www.morgan-hill.ca.gov) / Email: [General@ch.morgan-hill.ca.gov](mailto:General@ch.morgan-hill.ca.gov)

### PLANNING COMMISSION

### SPECIAL MEETING

**TUESDAY, DECEMBER 4, 2001**

**CITY COUNCIL CHAMBERS  
CIVIC CENTER  
17555 PEAK AVENUE  
MORGAN HILL, CA**

#### COMMISSIONERS

CHAIR BARBARA SULLIVAN  
VICE-CHAIR PATRICIA MCMAHON  
COMMISSIONER GENO ACEVEDO  
COMMISSIONER ROBERT J. BENICH  
COMMISSIONER RALPH LYLE  
COMMISSIONER JOSEPH MUELLER  
COMMISSIONER CHARLES D. WESTON

**7:00 P.M.**

#### **\*\*\* A G E N D A \*\*\***

#### NOTICE TO THE PUBLIC

*The following policies shall govern the conduct of the Planning Commission meetings:*

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
  - *Those supporting the application*
  - *Those opposing the application*
  - *Those with general concerns or comments*
  - *Presentations are limited to 5 minutes.*

## **DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

### **OPEN PUBLIC COMMENT PERIOD (5 MINUTES)**

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

**MINUTES:** November 13, 2001

### **OLD BUSINESS:**

1. **ZONING AMENDMENT, ZA-01-05: MONTEREY-SOUTH VALLEY DEVELOPERS:** A request to amend the zoning on a 6.22-acre site at the intersection of Cochrane Rd. and Monterey Rd. from CG-General Commercial zoning district to Planned Unit Development. (APN 764-10-004)

**Recommendation:** Approve Mitigated Negative Declaration and Adopt Resolution No. 01-81, with recommendation of City Council approval.

2. **USE PERMIT, UP-01-05: MONTEREY-ARCO:** A request to approve a conditional use permit to construct a new 3,600 sf Arco am/pm mini-market, a 4,500 sf gas station and a 792 sf car wash facility located at 18605 Monterey Rd. at the southwest corner of Monterey and Cochrane Roads. (APN 764-10-004)

**Recommendation:** Adopt Resolution No. 01-82, denying request; or if the Commission wish to approve the request, adopt Resolution No. 01-82a.

3. **URBAN SERVICE AREA, USA-01-02/GENERAL PLAN AMENDMENT, GPA-01-04/ZONING AMENDMENT, ZA-01-09/ANNEXATION, ANX-01-03: HALE-CATHOLIC HIGH SCHOOL:** A request to amend the Urban Service Area boundary to include a 30 acre parcel located on the west side of Monterey Rd., east of Hale Ave. approximately 1000 ft. north of Sanchez Dr. The General Plan amendment requested is to change the land use designation from Single Family Medium to Public Facility. Annexation and rezoning of the 30 acre parcel is also requested. The proposed zoning designation for the parcel is PF, Public Facility. A mitigated negative declaration is proposed for the project. (APN 764-09-12)

**Recommendation:** Open public hearing, approve Resolution No. 01-91 recommending City Council adoption of EIR; and approve Resolution Nos. 01-85 (urban service area), 01-86 (general plan amendment), 01-87 (zoning amendment), and 01-88 (annexation).

**NEW BUSINESS:**

4. **EXCEPTION TO LOSS OF BUILDING ALLOCATION, DAA-00-12: E. DUNNE-GREWAL:** A request for approval of an exception to loss of building allocation for a four lot subdivision of a 1.6 acre parcel located on the north east corner of the intersection of Hill Rd. and E. Dunne Ave. The parcel is zoned R-1 7,000 single family medium density. The applicant is requesting a six month extension of the residential building allotment from December 31, 2001 to June 30, 2002. (APN 728-11-026)

**Recommendation:** Open public hearing, adopt Resolution No. 01-89, with recommendation to forward to City Council for approval of a 6-month ELBA.

**OTHER BUSINESS:**

5. **GILROY GENERAL PLAN UPDATE/DRAFT EIR:** Review and comment on the draft General Plan for the City of Gilroy.

**Recommendation:** Provide recommendations to City Council regarding General Plan.

6. **ZONING AMENDMENT, ZA-01-18/SUBDIVISION, SD-01-04/DEVELOPMENT AGREEMENT, DA-01-02: MCLAUGHLIN-JONES :** A request for approval of a 9-lot subdivision of a 2.15-acre parcel located on the east side of McLaughlin Ave., north of Central Ave. in the R-2 3,500 zoning district. Also requested is the approval of a precise development plan (RPD zoning designation) and the approval of a project development agreement. A mitigated negative declaration is proposed. (APN's 726-24-002, 003, 005-007)

**Recommendation:** Staff recommend the Commission table the subdivision and development agreement applications. Once a new zoning application is filed, all of the applications will be renoticed and readvertised for a future agenda.

**TENTATIVE UPCOMING AGENDA ITEMS FOR THE JANUARY 8, 2002 MEETING:**

- **UP-01-03: E. Dunne-Victorious Christian Center**
- **ZA-01-12: Central-Central Park**
- **SD-01-06: Central-Central Park**
- **ZA-01-19: Condit-Planned Unit Development (PUD)**
- **DAA-00-13: Nina Lane-Shaw**
- **Manner Commission will award the one point under the Orderly & Contiguous Category**
- **Fire Master Plan**
- **Report regarding the Water/Sewer/Storm Drain Master Plans**

## **ANNOUNCEMENTS**

## **CITY COUNCIL REPORTS**

## **ADJOURNMENT**

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### **SPEAKER CARD**

*IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.*

### **NOTICE**

#### **AMERICANS WITH DISABILITY ACT (ADA)**

*The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.*

*If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.*

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### **NOTICE**

***NOTICE IS GIVEN** pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

### **NOTICE**

*The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.*

